

2/7/01

**Arizona Department of Administration
Risk Management Section
Loss Prevention Unit - Environmental Group**

The ADOA-RMS Emergency Response Guidelines are for use by State Agencies for filing an Environmental Property Loss Claim governed by A.R.S. § 41-621-625 et. seq.. These guidelines will provide State Agencies direction on filing an Emergency Response claim and general information on the Emergency Response contractor's requirements.

EMERGENCY RESPONSE CLAIM GUIDELINES - AGENCY INFORMATION

Emergency Response Contact

1. The Emergency Response (E/R) claim is to be called in immediately - within 24 hours of the discovery to the Arizona Department of Administration - Risk Management Section (ADOA-RMS).
2. If the E/R occurs during business hours (7am - 5pm, Monday - Friday) contact the ADOA-RMS at (602) 542-2386. If there is no answer, call (602) 542-2381. Voice mail messages may be left at either number if there is still no answer. The ADOA-RMS can assist in contacting an E/R contractor.
3. Information required by an E/R contractor:
 - a. Identify hazard(s) - physical and chemical, injuries present, etc.
 - b. Description of scene - spill size, materials involved, terrain, weather, etc.
 - c. On scene information - location (physical address), local contact (name and phone number), EPA ID# (if applicable), State Agency contact, responsible party, etc.
4. The reporting Agency is responsible for completing an Environmental Property Loss Claim form. Make sure the form is filled out completely and faxed to the ADOA-RMS immediately at (602) 542-2021. If an Environmental Property Loss Claim form is needed, one can be faxed to you for your completion or is available under the Downloadable forms Web Page.
5. If the E/R occurs after business hours, please contact the E/R contractor directly. A current list of contractors on the State Contract #AD000044 can be found at the ADOA-RMS, or the State Procurement Office. Notify the ADOA-RMS immediately with information in items 2 - 4 above. A voice mail message must be left to inform the ADOA-RMS of the E/R contractor being used, and a description of the E/R situation.

Sampling

1. The E/R contractor will provide sampling for profiling of the waste stream(s). Occasionally a sample will need to be taken for analytical testing for verification of the waste stream profile. If further analysis results in a discrepancy from the initial profile, the profile must be changed appropriately for proper transportation and disposal.
2. Clearance samples may also be required after the remedial action has been completed, to determine whether the site is remediated below the applicable regulatory standards. If the laboratory analysis indicates levels higher than these standards, then further remedial action may be necessary. Clearance samples will be contingent upon impact of soil by spilled material.
3. Sample type, number of samples, and methodology will be proposed and submitted by the E/R contractor, and will be approved and authorized by the ADOA-RMS after reviewing and inspecting the information pertaining to the E/R site.

Disposal

1. The materials or wastes associated with the E/R are to be removed from the E/R site as soon as possible. A manifest or bill of lading, and land disposal restriction (LDR) form will be used for proper transportation and disposal. A contractor or the ADOA-RMS may sign as the generator on behalf of the reporting State Agency, if no one from the representative reporting State Agency is present to sign these documents.
2. Final authorization of the disposal facility will be determined by the ADOA-RMS.

Emergency Response Summary Reports

1. Two draft reports entitled E/R Summary Report, with the site name, the ADOA-RMS Claim # and the reporting Agency ID # must be submitted within one month after final documentation (i.e., lab analysis, certificates of disposal, etc.) has been received by the contractor, to the ADOA-RMS. This report must be in accordance with the State Contract #AD000044. After review by the ADOA-RMS, the contractor will have two weeks to submit four final reports to the ADOA-RMS.
2. The E/R Summary Report should include the following information concerning the response.
 - a. **Introduction/Work Process** - a short narrative including a description and location of the scene (Township, Range, Section), the ADOA-RMS Claim # and any reporting Agency ID #'s, physical and chemical hazards associated with the scene, actions taken to perform cleanup of materials and equipment directly involved in the cleanup process.

- b. **Photographs/Maps** - before, during and after photos of the scene and any other E/R related photographs, area maps of the scene location, site diagrams, and sample diagrams (location, depth, type, methodology).
 - c. **Documentation** - lab analysis reports of samples (including background characterization and clearance samples indicating that the applicable cleanup levels were attained), chain of custody forms, manifests, bills of lading, land disposal restriction (LDR) forms, certificates of disposal/recycling as applicable and copy of site specific health and safety plan.
 - d. **Conclusions** - any final actions that are pending or required concerning the E/R scene, or statement of closure.
 - e. **Recommendations** - Any recommendations concerning the E/R are to be supplied in a separate cover letter and not directly stated within the E/R Summary Report.
3. After ADOA-RMS reviews the draft E/R Summary Reports, four final copies will need to be submitted within two weeks to the ADOA-RMS. ADOA-RMS will disperse copies to the relevant Agencies to examine for site closure, and/or Letters of Completion issued by the Arizona Department of Environmental Quality (ADEQ).

Emergency Response Report Forms

1. In some instances the E/R Summary Report may not be necessary. An E/R Report Form must be submitted in replacement of the E/R Summary Report.
2. The ADOA-RMS will determine whether an E/R Summary Report or an E/R Report Form needs to be submitted based upon the magnitude and information concerning the E/R.
3. Two draft E/R Report Forms must be submitted to the ADOA-RMS within two weeks after final documentation (i.e., lab analysis reports, certificates of disposal, etc.) has been received by the contractor for review by the ADOA-RMS. After review by the ADOA-RMS, the contractor will have two weeks to submit four final copies to the ADOA-RMS.
4. The E/R Report Form includes the following areas:
 - a. Location of the E/R (Township, Range, Section), dates and times of the E/R, etc.
 - b. Local contact, State Agency involved with the E/R, Agency contact, etc.
 - c. Incident description, material(s) involved, spill dimensions, amount spilled, etc.
 - d. Chemical and physical hazards involved, physical state, properties, etc.
 - e. Actions taken to contain/clean up material, etc.
 - f. Equipment/materials being used, PPE involved, etc.
 - g. Drawings/diagrams of incident scene, etc.
 - h. Documentation including manifests, bills of lading, LDR forms, chain of custody forms, lab analysis results, etc.

- i. Photographs directly related to the E/R scene, etc.
 - j. Site specific health and safety plan.
5. After review of the draft E/R Report Form by the ADOA-RMS, the contractor will have two weeks to submit four final copies of the E/R Report Form to the ADOA-RMS, for dispersal to relevant Agencies to examine for site closure and/or Letters of Completion issued by the ADEQ.

OTHER AREAS OF CONCERN

Letters of Completion

1. In some instances a Letter of Completion may be requested from the ADEQ based on specific Agency needs.
2. The ADOA-RMS will be responsible for submitting the E/R Summary Reports or E/R Report Forms to the ADEQ for issuance of Letters of Completion.

Cultural Resource Survey

1. After inspecting and reviewing the E/R site, the ADOA-RMS will determine, after consulting with the State Historical Preservation Office (SHPO), whether a Cultural Resource Survey (CRS) needs to be conducted. This decision will be based on many variables involved with the remediation process. A CRS, if necessary, can be conducted either prior, during, or after the remediation process has been implemented.
2. Variables influencing whether a CRS needs to be conducted include the E/R site location (Township, Range, and Section), actions to be performed at the site, use of the land, previous land uses, size and extent of affected land, likelihood and type of land disturbance.
3. If a CRS needs to be conducted, the E/R contractor will be notified and will be responsible for accomplishing the survey (may need to be subcontracted). In most cases the CRS will take place during or after the remediation process.
4. Five copies of the CRS Report must be submitted to the ADOA-RMS prior to the E/R Summary Report or the E/R Report Form submittal. The CRS Report is not to be included in the E/R Report.
5. If a CRS does not need to be conducted, the remediation action will continue as scheduled.

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The ADOA-RMS Emergency Response Guidelines were developed to provide guidance for the E/R contractors regarding the Emergency Response State Contract #AD000044. These guidelines are to be used in conjunction with contract #AD000044, and **are not** designed to replace or change the current contract requirements. If there is any discrepancy between the current contract and the Emergency Response Guidelines, the contract will prevail.

EMERGENCY RESPONSE GUIDELINES - CONTRACTOR INFORMATION

Cost Estimate/Proposal

1. The Emergency Response (E/R) cost estimates should be based on three general areas:
 - a. **Phase I** - Prefield activities including those activities performed prior to any field work. This may include tasks such as scheduling, permitting, preparation of a site health and safety plan, and underground utility blue-staking.
 - b. **Phase II** - Field work including all equipment and materials used, personnel time and labor, sampling, transportation and disposal, and any other direct costs related to the task activities of the E/R.
 - c. **Phase III** - Post field activities performed following the field activities associated with the E/R. These activities may include data review and summary, report preparation and reviewing, and report submittal for project closure and associated clerical support.
2. The initial cost estimate should be a quick and accurate estimate based on the areas mentioned above and shall be based on the firm-fixed prices established in the State Contract #AD000044. This proposal will be approved by the ADOA-RMS before any actions are taken.

Emergency Response Summary Reports

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2. The E/R Summary Report should include the following information concerning the response.

- a. **Introduction/Work Process** - a short narrative including a description and location of the scene (Township, Range, Section), the ADOA-RMS Claim # and any reporting Agency ID #'s, physical and chemical hazards associated with the scene, actions taken to perform cleanup of materials, and equipment directly involved in the cleanup process.
 - b. **Photographs/Maps** - before, during and after photos of the scene and any other E/R related photographs, area maps of the scene location, site diagrams, and sample diagrams (location, depth).
 - c. **Documentation** - lab analysis reports of sampling (including background characterization and clearance samples indicating that the applicable cleanup levels were attained), chain of custody forms, manifests, bills of lading, land disposal restriction (LDR) forms, certificates of disposal/recycling as applicable and site specific health and safety plan.
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 - h. Documentation including manifests, bills of lading, LDR forms, chain of custody forms, lab analysis results, etc.
 - i. Photographs directly related to the E/R scene, etc.
 - j. Site specific health and safety plan.
5. After review of the draft E/R Report Form by ADOA-RMS, the contractor will have two weeks to submit four final copies of the E/R Report Form to the ADOA-RMS, for dispersal to relevant Agencies to examine for site closure, and/or Letters of Completion issued by the ADEQ.

Disposal:

1. If sample analysis results show that the waste profile does not represent the sample taken, the initial waste profile must be amended. Make changes that are necessary for proper transportation and disposal. Notify the corresponding Agency after the discovery so their paperwork can be corrected.

Cultural Resource Survey

1. After inspecting and reviewing the E/R site, the ADOA-RMS will determine, after consulting with the State Historical Preservation Office (SHPO), whether a Cultural Resource Survey (CRS) needs to be conducted. This decision will be based on many variables involved with the remediation process. A CRS, if necessary, can be conducted either prior, during, or after the remediation process has been implemented.
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Invoicing

1. Final invoicing must be received by the ADOA-RMS no later than 60 days after the job completion, and must conform with the State Contract #AD000044. All invoices concerning the E/R are to be sent directly to the ADOA-RMS for review and payment.
2. It is expected from all contractors that consistent billing be found on all projects. Charging for indirect costs will not be tolerated. This includes charges for accounting, invoicing, payroll preparation, preparation of a Task Assignment Offer, etc.
Standby items (i.e., equipment or labor either on site or held elsewhere and not used in conjunction with the project) are also viewed as non-billable items.
3. Additional fees for equipment and services (subcontractors) not originally set on the contract pricing schedule shall be billed and invoiced at cost. No mark-up percentage shall be permitted.
4. Final invoicing will not be processed until all Reports (E/R Summary Report, E/R Report Form, CRS Report, etc.) concerning the E/R are received by the ADOA-RMS, from the contractor.